

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MATTHEW GREEN,)	3:12-cv-00004-LRH-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	December 3, 2012
ROBERT BANNISTER, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Motion to Amend Scheduling Order (Doc. # 22) and Motion to Compel (Doc. #23)

Plaintiff's motions (Doc. ## 22, 23) are based upon an erroneous assumption by Plaintiff that the Defendants did not comply with paragraph 6 of the court's order (Doc. # 9). The record reflects that concurrent with the entry of that order, plaintiff filed a motion to amend his complaint (Doc. # 10), and after screening (Doc. #12), Plaintiff withdrew his motion to amend. (Doc. # 14). On August 21, 2012, the court entered an order (Doc. #15) noting that in light of the withdrawal of Plaintiff's motion to amend, the matter would revert to its previous status before the motion to amend and that the deadlines imposed in the July 5, 2012, order were reinstated commencing as of August 21, 2012. (*Id.*)

The docket herein reflects that Defendants are in compliance with paragraph 6 the court's order, having filed an Acceptance of Service (Doc. # 16), an Under Seal Submission of Last Known Address (Doc. # 17), and a Notice of Under Seal Submission of Last Known Address (Doc. # 18).

Therefore, Plaintiff's motion to amend scheduling order (Doc. # 22) and motion to compel (Doc. #23) are **DENIED** as moot.

Motion to Strike Defendants' Answer (Doc. #24)

Plaintiff bases his motion (Doc. # 24) on the fact that Defendants' Answer was filed more than 60 days after the court's July 5, 2012 order (Doc. # 9). However, as noted above, the deadline for filing the answer was extended in the court's subsequent order (Doc. #15).

Plaintiff's motion (Doc. # 24) is therefore **DENIED** as moot.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk